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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 12 2002

In Re Application of:

Brian R. Murphy et al.

Serial No.: 09/444,067

Group Art Unit: 1642

TECH CENTER 1600/2900

Filing Date: November 19, 1999

Examiner: B.G. Brumback

For: **PRODUCTION OF ATTENUATED RESPIRATORY SYNCYTIAL VIRUS
VACCINES FROM CLONED NUCLEOTIDE SEQUENCES**

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9-16-02

DATE OF DEPOSIT: September 3, 2002
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WASHINGTON, DC 20231.

TYPED NAME: Jeffrey J. King
REGISTRATION NO.: 38,515

BOX AF

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the Decision of the
Primary Examiner mailed March 4, 2002, finally rejecting claims 63-67, 89, 93-95, 120-
122, 128-136, 148, 150, and 160 of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.

☐ Applicant(s) by its/their undersigned attorney, claims small entity status
under 37 CFR §1.27 as:

09/10/2002 AWONDAF1 00000133 233050 09444067

01 FC:119 320.00 CH
02 FC:117 920.00 CH

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- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

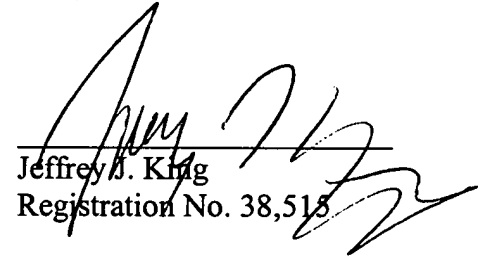
	SMALL ENTITY		NOT SMALL ENTITY	
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$920	\$920
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$	\$320	\$320
TOTAL FEE DUE				\$1240

2. FEE PAYMENT

- ☒ Please charge my Deposit Account No. 23-3050 in the amount of \$1240. A duplicate of this transmittal is attached.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office

in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

Date: September 3, 2002



Jeffrey J. King
Registration No. 38,518

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439